

REMARKS/ARGUMENTS

Claims 1, 3-12, 14-18, and 20 are pending in this application, with claims 1, 14, and 18 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claim Amendments

Independent claim 1 is amended to recite “said means for retaining being arranged such that one of the longitudinal ends of each of said at least two of said artificial fingernails faces said transparent portion, whereby at least one of a c-curve and an arch height of each of said at least two different ones of said artificial fingernails is observable outside of said package through said transparent portion on the front of said package”.

Independent claim 14 is amended to recite “said at least two artificial fingernails being arranged such that one of the opposing longitudinal ends of each of said at least two artificial fingernails faces said front of said package, whereby the c-curve of said at least two of said artificial fingernails is observable from outside said front of said package”.

Independent claim 18 is amended to recite “retaining at least two different ones of said plurality of artificial fingernails in a holding material in said package, said holding material having slits in which said at least two of said artificial fingernails are respectively received such that one of said longitudinal ends of each of said at least two of said artificial fingernails faces a front of said package, whereby the c-curve of said at least one of said plurality of artificial fingernails is observable from outside of a front of said package through a transparent portion of said package”.

Support for the above amendments to the independent claims 1, 14, and 18 is found in Figs. 5 and 6; and paragraphs 0036 and 0040 of the application as originally filed.

Claim 13 is canceled without prejudice or disclaimer.

Claims 15-17 are amended to depend directly from independent claim 1.

Rejection of the Claims under 35 U.S.C. §103

Claims 1, 3-5, 9-18, and 20 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 5,791,482 (Murphy) in view of U.S. Patent No. 4,282,975 (Ovadia).

Claims 6-8 stand rejected under 35 U.S.C. §103 as unpatentable over Murphy in view of U.S. Patent No. 4,106,614 (Aylott).

None of the references, alone or in combination, teach or suggest said at least two artificial fingernails being arranged such that one of the opposing longitudinal ends of each of said at least two artificial fingernails faces the front of said package, as now required by each of the independent claims 1, 14, and 18.

Both Murphy and Aylott disclose an artificial nail package in which the tops of the artificial nails face the front of the package and the longitudinal ends of the nails face the sides of the package (see Fig. 1 of Murphy; and Figs. 1-2 of Aylott). Neither Murphy nor Aylott provide any motivation for arranging the fingernail so that the longitudinal end of the artificial nail faces the front of the package. In contrast, both Murphy and Aylott tout the advantages of showcasing the top of the nails through the front of the package (see col. 4, lines 1-12 of Murphy; and col. 2, lines 24-28 of Aylott).

Ovadia fails to provide any specific teaching regarding the arrangement and/or placement of artificial fingernails in a display package. Ovadia relates to the display of jewelry and discloses that a slit may be used to hold jewelry, i.e., a ring, which is to be displayed. More specifically, Ovadia teaches a holder for a ring display with a slit arranged to hold the ring so that a top of the ring is showcased to a customer. Since Ovadia discloses a holder for a ring, the arrangement of Ovadia fails to teach or suggest or provide any motivation for holding artificial

fingernails to showcase the longitudinal ends of the artificial nails through the front of an artificial nail package. Only the present application teaches the advantages of presenting the longitudinal end of the artificial nail through the front of the package.

In view of the above amendments and remarks, the combined disclosures of Murphy, Aylott and Ovadia fail to teach or suggest “said at least two artificial fingernails being arranged such that one of the opposing longitudinal ends of each of said at least two artificial fingernails faces said front of said package”, and independent claims 1, 14 and 18 are deemed to be allowable.

Dependent claims 3-13, 15-17, and 19-20 are allowable for at least the same reasons as are independent claims 1, 14, and 18, as well as for the additional recitations contained therein.


The application is now deemed to be in condition for allowance and notice to that effect is solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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